

AMENDED IN ASSEMBLY APRIL 23, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1453**

**Introduced by Assembly Member Parra**

February 21, 2003

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An act to add Section ~~128739~~ 1569.6 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1453, as amended, Parra. ~~Nursing facilities: financial data~~  
*Residential care facilities for the elderly.*

*Existing law prohibits a person or business, generally, from operating a residential care facility for the elderly without a current valid license from the State Department of Social Services, and regulates the operation of these facilities. Violation of these provisions is a crime.*

*This bill would require a licensee under these provisions to annually notify patients and patient representatives regarding all of the levels of care increases and their corresponding costs for which patients may potentially be charged additional fees. By creating a new crime, this bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~Existing law requires every organization that operates, conducts, owns, or maintains a health facility, and the officers thereof, to make and file with the Office of Statewide Health Planning and Development, specified reports concerning financial data. Existing law provides that a facility that is governed by these requirements and does not file the required reports may be subject to civil penalties, as specified.~~

~~This bill would require the State Department of Health Services to issue regulations, as specified, to enhance the methods for the collecting of financial data concerning nursing facilities by requiring a nursing facility to submit specified financial information to the department and the office.~~

~~This bill would authorize the department and the office to assess the civil penalties authorized under existing law, if any nursing facility does not file the information required by the bill.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~ yes.

*The people of the State of California do enact as follows:*

- 1    ~~SECTION 1. Section 128739 is added to the Health and~~
- 2    *SECTION 1. Section 1569.6 is added to the Health and Safety*
- 3    *Code, to read:*
- 4    *1569.6. A licensee under this chapter shall provide, on an*
- 5    *annual basis, a written notification to patients and patient*
- 6    *representatives outlining all of the level of care increases and their*
- 7    *corresponding costs for which patients may potentially be charged*
- 8    *additional fees.*
- 9    *SEC. 2. No reimbursement is required by this act pursuant to*
- 10    *Section 6 of Article XIII B of the California Constitution because*
- 11    *the only costs that may be incurred by a local agency or school*
- 12    *district will be incurred because this act creates a new crime or*
- 13    *infraction, eliminates a crime or infraction, or changes the penalty*
- 14    *for a crime or infraction, within the meaning of Section 17556 of*
- 15    *the Government Code, or changes the definition of a crime within*
- 16    *the meaning of Section 6 of Article XIII B of the California*
- 17    *Constitution.*
- 18    ~~Safety Code, to read:~~
- 19    ~~128739. (a) The department, in an effort to ensure improved~~
- 20    ~~collection of financial data regarding any organization that~~
- 21    ~~operates, conducts, or maintains a nursing facility, shall adopt~~

1 ~~regulations, as required in subdivision (b), to enhance existing~~  
2 ~~methods of financial data collection, as described in Section~~  
3 ~~128735.~~

4 ~~(b) These regulations shall require any entity covered by this~~  
5 ~~section to submit to the department and the office, in addition to~~  
6 ~~the data required pursuant to Section 128735, financial data~~  
7 ~~concerning all of the following:~~

8 ~~(1) A transfer of funds within the nursing facility, including a~~  
9 ~~transfer between the parent corporation of the facility and any~~  
10 ~~subsidiary of that corporation.~~

11 ~~(2) Patient costs and expenses.~~

12 ~~(3) Staffing costs and expenses.~~

13 ~~(4) Administrative costs and expenses.~~

14 ~~(5) Food and other operational costs and expenses.~~

15 ~~(c) For the purpose of this section, the department and the~~  
16 ~~office may assess those civil penalties specified in Section 128770~~  
17 ~~if any nursing facility does not file the information required by this~~  
18 ~~section.~~

